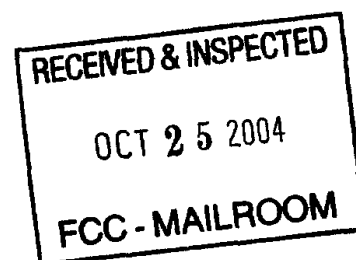


FINANCE DEPARTMENT

October 18, 2004

Federal Communications Commission  
Office of the Secretary  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554



CC Docket No. 02-66

Form 471 Application No. 432878  
Entity No. 1335563

To whom it may Concern:

I would appreciate a "Request for Review" from you on an appeal denial from the Schools and Libraries Division. I was out battling cancer from October 2003 until January 2004. When I returned to work on January 9<sup>th</sup>, 2004, I checked the internet for information on E-Rate, as no notification was received by the White Bear Lake School District. I called the SLD and was told to file, but send a letter of consideration (1) to the Appeals Department. The customer service representative also said that there was no problem with this. I filed the Form 470 on the internet on 01/09/04 (2), mailed the certification and faxed the letter of consideration. I also received my first e-mail (3) on changes to the 04-05 application.

On January 12<sup>th</sup>, 2004, I received a Receipt Notification Letter (4) stating that the Vendor Selection/Contract date was 02/06/2004. The letter also states that the filing deadline for Form 471 will be posted to the internet when available. At this time I thought I was fine with my filing.

On February 4<sup>th</sup>, 2004, I began to file Form 471 and was given an error that the 28 day window was not closed. I called the SLD and was told that I had to wait until 02/06/04 per my Receipt Notification Letter. I filed the form (5) on 02/06/04 and mailed the certification.

There was no communication from the SLD until I went on the internet 04/01/04 and saw that my 471 was Certified out of Window. I called the SLD and was told to fax my appeal which I did and I kept the fax certification of receipt (6).

May 5<sup>th</sup>, 2004, I called the SLD to check on my appeal and was told by Jackie that they did not have it recorded yet, but that was no surprise as it could take weeks. No. of Copies rec'd 0  
List ABCDE

On June 18<sup>th</sup>, 2004, I received a letter stating that my Form 471 was postmarked "Outside of Window" (7). I refaxed my Appeal Letter and kept the fax certification of receipt again (8).

July 6<sup>th</sup>, 2004, I called the SLD on my appeals and was told that they did not have any of them on file. I again faxed my letter (9) to the attention of Debbie Wilburn. I received my receipt of appeal on July 12<sup>th</sup>, 2004 (10).

On October 1<sup>st</sup>, 2004 I received a letter from the SLD denying my appeal (11). They stated it was postmarked too late.

I believe I attempted many times to correct a situation that was caused by lack of information provided by the SLD. As you read my appeal letters, they state why the District was late and that we have never asked for an appeal in the past. I believe that this was not an avoidable situation had the SLD communicated with the District in November 2004.

Please consider this appeal of the SLD's appeal as you know all School Districts need any available funds.

Thank you for your time.

Sincerely,

A handwritten signature in cursive script that reads "Mary M. Vaske". The signature is written in black ink and is positioned below the word "Sincerely,".

Mary M. Vaske  
Accountant

FINANCE DEPARTMENT

①

January 9, 2004

To Whom It May Concern:

I am writing this letter to ask for consideration of our late transmittal of form 470. I have been out of the office with an illness. There was no notification as in prior years of the opening in November. With no notification, the form was not completed until today, when I returned. I filed the form online today.

If you check our past practice, you will see that we are always efficient in sending our form 470. The District is in need of this money, as all districts are.

Please consider this request as this was an unavoidable circumstance.

Thank You.

*Mary M Vaske*

Mary M. Vaske  
4855 Bloom Avenue  
White Bear Lake, MN 55110  
Entity # 1335563  
Application #915990000496440

# MEMORY TRANSMISSION REPORT

TIME : JAN-09-2004 01:54PM  
TEL NUMBER : +651 407 7521  
NAME : DISTRICT FINANCE OFFICE

FILE NUMBER : 351  
DATE : JAN-09 01:53PM  
TO : 919735996542  
DOCUMENT PAGES : 002  
START TIME : JAN-09 01:53PM  
END TIME : JAN-09 01:54PM  
SENT PAGES : 002  
STATUS : OK

FILE NUMBER : 351

\*\*\* SUCCESSFUL TX NOTICE \*\*\*



WHITE BEAR LAKE  
AREA PUBLIC SCHOOLS

Independent School District No. 624

FINANCE DEPARTMENT

## Fax Cover Sheet

DATE: 1/9/04  
TO: SLD  
FIRM: Appeals  
FROM: Mary M. Vaske

TIME: 2:00  
PHONE: \_\_\_\_\_  
FAX: 973-599-6542  
PHONE: (651) 407-7518  
FAX: (651) 407-7521

RE: Form 470 Consideration

Number of pages including cover sheet: 2

Message:

If you do not receive all of the pages, please call the sender at the above number.

Thank you.

maintenance, and electrical connections necessary to use the services purchased effectively.

24. ☒ I certify that I am authorized to submit this request on behalf of the above-named entities, that I have examined this request, and to the best of my knowledge, information, and belief, all statements of fact contained herein are true.

25. Signature of authorized person <i>Mary M. Vaske</i>	26. Date <i>1-9-04</i>
27. Printed name of authorized person <b>Mary M. Vaske</b>	
28. Title or position of authorized person <b>Accountant</b>	
29a. Street Address of authorized person <b>4855 Bloom Avenue White Bear Lake, MN 55110</b>	
29b. Telephone Number of authorized person <b>(651) 407-7518</b>	
29c. Fax Number of authorized person <b>(651) 407-7521</b>	
29d. E-mail address of authorized person <b>mmvaske@wbl.whitebear.k12.mn.us</b>	

Form 470 Application Number: 915990000496440  
**WHITE BEAR LAKE INDEP DIST 624**  
**4855 BLOOM AVENUE**  
**SAINT PAUL, MN 55110-**

**Persons willfully making false statements on this form can be punished by fine or forfeiture, under the Communications Act, 47 U.S.C. Secs. 502, 503(b), or fine or imprisonment under Title 18 of the United States Code, 18 U.S.C. Sec. 1001.**

**Service provider involvement with preparation or certification of a Form 470 can taint the competitive bidding process and result in the denial of funding requests. For more information, refer to the "Service Provider Role in Assisting Customers" at [www.sl.universalservice.org/vendor/manual/chapter5.doc](http://www.sl.universalservice.org/vendor/manual/chapter5.doc) or call the Client Service Bureau at 1-888-203-8100.**

**NOTICE:** Section 54.504 of the Federal Communications Commission's rules requires all schools and libraries ordering services that are eligible for and seeking universal service discounts to file this Description of Services Requested and Certification Form (FCC Form 470) with the Universal Service Administrator. 47 C.F.R. § 54.504. The collection of information stems from the Commission's authority under Section 254 of the Communications Act of 1934, as amended, 47 U.S.C. § 254. The data in the report will be used to ensure that schools and libraries comply with the competitive bidding requirement contained in 47 C.F.R. § 54.504. All schools and libraries planning to order services eligible for universal service discounts must file this form themselves or as part of a consortium.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

The FCC is authorized under the Communications Act of 1934, as amended, to collect the information we request in this form. We will use the information you provide to determine whether approving this application is in the public interest. If we believe there may be a violation or a potential violation of a FCC statute, regulation, rule or order, your application may be referred to the Federal, state, or local agency responsible for investigating, prosecuting, enforcing, or implementing the statute, rule, regulation or order. In certain cases, the information in your application may be disclosed to the Department of Justice or a court or adjudicative body when (a) the FCC; or (b) any employee of the FCC; or (c) the United States Government, is a party of a proceeding before the body or has an interest in the proceeding. In addition, information provided in or submitted with this form or in response to subsequent inquiries may also be subject to disclosure consistent with the Communications Act of 1934, FCC regulations, the Freedom of Information Act, 5 U.S.C. § 552, or other applicable law.

If you owe a past due debt to the federal government, the information you provide may also be disclosed to the Department of the Treasury Financial Management Service, other Federal agencies and/or your employer to offset your salary, IRS tax refund or other payments to collect that debt. The FCC may also provide this information to these agencies through the matching of computer records when authorized.

If you do not provide the information we request on the form, the FCC may delay processing of your application or may return your application without action.

The foregoing Notice is required by the Paperwork Reduction Act of 1995, Pub. L. No. 104-13, 44 U.S.C. § 3501, et seq.

Public reporting burden for this collection of information is estimated to average 4 hours per response, including the time for reviewing

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**From:** "Schools & Libraries" <sldblast@universalservice.org>  
**To:** "E-rate Library Applicants" <sldblast@universalservice.org>  
**Date:** 1/9/2004 4:35:38 PM  
**Subject:** Important Notice for Funding Year 2004

#### Important Notice for Funding Year 2004

The FCC and the SLD have already issued notices of changes and clarifications that are applicable to Funding Year 2004. This e-mail serves to highlight these for you to help you take full advantage of E-rate support in the upcoming funding year and avoid denial of funding requests on Forms 471 for Funding Year 2004. Applicants and service providers can find additional information on the SLD web site at [www.sl.universalservice.org](http://www.sl.universalservice.org). You may also contact the SLD Client Service Bureau by using the "Submit a Question" link on the web site, by faxing toll-free at 1-888-276-8736 or by calling toll-free at 1-888-203-8100.

#### TECHNOLOGY PLANS

Technology plans must be written before submission of the Form 470, and they must be approved by an SLD-certified technology plan approver before discounted services start and before the Form 486 is submitted.

Technology plans are not required if applicants are seeking discounts on only basic local and long distance telephone service (wireline or wireless). Outside of these services, a technology plan should cover all services for which discounts are being requested.

#### FORM 470

The Form 470 applicant is responsible for ensuring an open and fair competitive process and selecting the most cost-effective provider of the desired services. Price must be the primary factor in the selection, i.e., price must be weighted more heavily than any other single factor. The Form 470, as well as any Requests for Proposals (RFPs) or other solicitation method, must have been tailored specifically to that applicant's needs and circumstances, and based directly on the applicant's technology plan.

Applicants cannot seek discounts for services in a category of service on the Form 471 if those services in those categories were not indicated on the Form 470.

Follow this link for more information on the competitive bidding process and the Form 470:

<http://www.sl.universalservice.org/whatsnew/2003/122003.asp#120903>

#### ELIGIBLE AND INELIGIBLE SERVICES

Voice mail is an eligible service beginning with Funding Year 2004. Voice mail can be funded if it is categorized as Telecommunications Services or Internet Access, and can also be funded as a component of Internal Connections.

Onsite activities that are integral, immediate, and proximate to the education of students or the provision of library services to library patrons qualify as educational purposes. Furthermore, in certain limited circumstances, telecommunications services used offsite - such as bus drivers on a school bus, library personnel in a mobile library van, or school staff on field trips or at facilities associated with athletic activities - are also eligible.

Follow this link for more information on educational purposes:  
[http://www.sl.universalservice.org/reference/educational\\_purposes.asp](http://www.sl.universalservice.org/reference/educational_purposes.asp)

Follow this link for more information on how to indicate non-instructional facilities on Form 471:  
[http://www.sl.universalservice.org/reference/Entity\\_Numbers.asp](http://www.sl.universalservice.org/reference/Entity_Numbers.asp)

The FCC has not determined whether Voice over IP (VoIP) is a telecommunications service or an application provided over an unregulated information service. Pending resolution of this issue, VoIP service is not eligible for funding.

The FCC has not resolved whether unlit (dark) fiber is a telecommunications service. Pending resolution of this issue, it is not eligible for funding.  
(FCC's Third Report and Order, FCC 03-323, released December 23, 2003, para.76)

Follow this link to the FCC's Third Report and Order and Second Further Notice of Proposed Rulemaking for more information:  
<http://www.sl.universalservice.org/data/pdf/fcc%2003-323.pdf>

In cases where a school or library owns equipment to light fiber cable, such equipment may be traded in to the provider of a fiber optic service and leased back by the applicant. Such a contract modification would be deemed a minor contract modification under section 54.500(g) of the FCC's rules, provided that this is within the scope of the original contract and the change has no effect or negligible effect on price, quantity, quality, or delivery under the original contract. These changes also must be consistent with state procurement law.

Only service providers designated by USAC as eligible telecommunications providers can provide telecommunications services under the E-rate program.

Follow this link for more information on eligible telecommunications providers:  
<http://www.sl.universalservice.org/whatsnew/2003/122003.asp#122403a>

For maintenance services to be eligible as Internal Connections, they must be "necessary" and "basic." Basic maintenance services are "necessary" if, but for the maintenance at issue, the connection would not function and serve its intended purpose with the degree of reliability ordinarily provided in the marketplace to entities receiving such service without E-rate discounts. On-site technical support is not necessary to the operation of the internal connection network when off-site technical support can provide basic maintenance on an as-needed basis. Services such as 24-hour network monitoring and management also do not constitute basic maintenance. Technical support, including on-site Help Desks, is not eligible if it provides any ineligible features or functions.

Follow this link for more information on basic maintenance services:  
<http://www.sl.universalservice.org/whatsnew/2003/122003.asp#122403>

A private branch exchange (PBX) that routes calls within a school or library is not eligible as on-premise Priority 1 equipment.

A Priority 1 service can include a single basic terminating component at an applicant site - such as a cable modem, a channel service unit/data service unit (CSU/DSU), network interface device (NID) or a copper to fiber (TX to FX) converter. More complex configurations of equipment at applicant locations that are used in the provision of a Priority 1 service must meet specific requirements.

Follow this link for more information on these specific requirements for on-premise Priority 1 equipment:  
<http://www.sl.universalservice.org/reference/OnPremP1.asp>

Follow this link for more information on eligible services:  
<http://www.sl.universalservice.org/reference/eligible.asp>

## CONTRACTS

Except for services to be delivered under non-contracted tariff or month-to-month arrangements, applicants must sign a contract with their service providers before they sign and submit the completed Form 471. If applicants will be purchasing services under a State Master Contract, that State Master Contract fulfills the requirement to have a signed contract; however, applicants must comply with the terms and conditions of the State Master Contract. Applicants and service providers must also comply with state contract law. Listing a service provider on the Form 471 does NOT create a contract. Applicants must be able to demonstrate that they had a contract in place at the time that they submitted their Form 471. Applicants must follow all state and local procurement laws that apply to them, and must also be able to demonstrate compliance with these laws.

Follow this link for more information on contracts:  
<http://www.sl.universalservice.org/reference/Contracts.asp>

## REIMBURSEMENTS vs. DISCOUNTS

Service providers shall permit the billed entity to choose the method of payment for the discounted services, i.e., the option of requesting discounts on bills or of paying the bills in full and then receiving reimbursement.

## TRANSFER OF EQUIPMENT

The FCC prohibits all transfers of equipment for a period of three years after purchase. Three years or more after purchase, such equipment may be transferred, but not in consideration of money or anything else of value. Also, in the limited circumstance when the location where the equipment was originally installed is temporarily or permanently closed, the equipment may



be transferred to another E-rate-eligible entity even if that entity does not have a comparable discount level.

#### SERVICE SUBSTITUTIONS

In the past, services for which a service substitution was requested could not result in an increase in price. Service substitution requests may now substitute an eligible service with a higher pre-discount price, although USAC will only provide support based on the lesser of the pre-discount price of the original service or the substitute service.

#### PROHIBITION ON FREE SERVICES

Applicants must pay the entire undiscounted portion of the cost of any services they receive through E-rate. The value of all price reductions, promotional offers, trade-in allowances, vendor discounts, and "free" products or services must be deducted from the pre-discount cost of services indicated in Funding Requests. Costs, trade-in allowances, and discounts must be fairly and appropriately derived. A proportionate cost allocation is required between eligible and ineligible components.

The provision of unrelated free services by the service provider to the applicant constitutes a rebate of the undiscounted portion of the costs, a violation of the FCC's rules.

Follow this link for more information about free services:  
<http://www.sl.universalservice.org/reference/freeservices.asp>

#### RETAINING DOCUMENTATION

Applicants must retain for five years any and all worksheets and other records that they rely on to complete their E-rate forms. Applicants must retain copies of bidding specifications and/or Requests For Proposals (RFPs), all bids received (both winning and losing) and all contracts with service providers. Applicants must also maintain documentation of the process and any related analyses leading to the selection of the winning bid(s). Applicants must be able to demonstrate that the bid they chose is the most cost-effective, with price being the primary factor.

CC: George McDonald <[gmcDonald@universalservice.org](mailto:gmcDonald@universalservice.org)>, Ed Falkowitz <[efalkowitz@universalservice.org](mailto:efalkowitz@universalservice.org)>, John Noran <[JNoran@universalservice.org](mailto:JNoran@universalservice.org)>, Soma Das <[sdas@universalservice.org](mailto:sdas@universalservice.org)>, Cynthia Schultz <[cschultz@universalservice.org](mailto:cschultz@universalservice.org)>



Universal Service Administrative Company  
Schools & Libraries Division

4

**FORM 470-Receipt Notification Letter**  
(Funding Year 2004: 07/01/2004--06/30/2005)

January 12, 2004

Mary M. Vaske  
WHITE BEAR LAKE INDEP DIST 624  
4855 BLOOM AVENUE  
SAINT PAUL, MN 55110

Re: Applicant's Form Identifier: 010704  
Form 470 Application Number: 915990000496440  
Entity Number: 133563  
Date Form 470 Posted: 01/09/2004  
Allowable Vendor Selection/Contract Date: 02/06/2004

Dear Mary M. Vaske:

This letter is to notify you that the Schools and Libraries Division (SLD) has received your FCC Form 470, "Description of Services Requested and Certification Form," although we have NOT yet received your Block 5 signed certification page, either online or on paper. This letter provides important information about program rules. Please read this letter carefully and retain it for your records and future reference.

The Form 470 Application Number listed above has been assigned by the SLD and will be used to track your Form 470. This number must be provided on each FCC Form 471, "Services Ordered and Certification Form," Block 5 Funding Request that cites this Form 470. Any applicant who relies on this Form 470 will need to know this Form 470 Application Number. You may wish to share this number with those schools and/or libraries featured in this application to assist them in their preparation of the Form 471.

The purpose of the Form 470 is to open a competitive bidding process for the services desired. The Form 470 applicant is responsible for ensuring an open, fair competitive process and selecting the most cost-effective provider of the desired services. The Form 470 must be completed by the entity that will negotiate with potential service providers. A service provider who will participate in the competitive bidding process as a bidder cannot complete it. Please be aware that if a service provider was involved in the preparation or certification of your Form 470, this involvement could taint the competitive bidding process and result in the denial of your funding requests.

If you believe that a service provider was improperly involved in the submission of this Form 470, you should cancel this Form 470 and submit a new one if you wish. To cancel a Form 470, contact the Client Service Bureau by e-mail at [question@universalservice.org](mailto:question@universalservice.org), by fax at 1-888-276-8736 or by phone at 1-888-203-8100 and follow the instructions they provide.

FCC rules require that requests for tariffed or month-to-month services and requests for new contractual services be posted on the SLD web site for a period of at least 28 days before selecting a vendor in order to provide for a competitive bidding process.

State or local laws may require a longer procurement cycle. This 28-day waiting period must occur before you may establish a legally binding agreement between yourself and your service provider. Except for services to be delivered under tariff or month-to-month arrangements, you must have a legally binding agreement with your service provider before you sign and submit your Form 471. This requirement can be met by executing a contract for services, or through another process as allowed by your state law that legally binds you to given services from the selected service provider. Listing a service provider on your Form 471 does NOT create a legally binding agreement. You must be able to demonstrate that you have a legally binding agreement in place at the time that you submitted your Form 471. In addition, if you are seeking support on your Form 470 for the first time for services delivered under a multi-year contract signed on or before July 10, 1997, the SLD cannot process your Form 471 until the 28-day waiting period has elapsed.

You must retain copies of bidding specifications and/or requests for proposals (RFPs), all bids received (both winning and losing) and all contracts with your service provider. You must also maintain documentation of the process and any related analyses leading to the selection of the winning bid(s). You must be able to demonstrate that the bid you chose is the most cost-effective, with price being the primary factor.

You must follow all state and local procurement laws that apply to you. You must also be able to demonstrate compliance with these laws.

Your Form 470 or RFP MUST define the specific services or functions (and quantity and/or capacity) for which funding will be sought. You MUST obtain specific cost information, including prices for products and services to be provided. Failure to adhere to these rules violates the requirement to choose the most cost-effective provider. Remember also that you cannot seek discounts for services in a category of service on the Form 471 if those services in those categories were not indicated on a Form 470.

RFPs or other solicitation methods must be tailored specifically to your needs and circumstances, and based directly on your technology plan. Use of a generic RFP used successfully by another applicant, for example, does not comply with the Commission's competitive bidding requirements. RFPs and competitive bidding processes that are structured to favor one service provider undermine the competitive process.

The "Allowable Vendor Selection/Contract Date" featured above is the earliest date that contracts, or other legally binding agreements, can be executed for all services.

Under FCC rules to become effective with Funding Year 2004, your service provider must offer you the option of requesting discounts on bills, or of paying the bills in full and then receiving reimbursement. We recommend that you include your preferred method for receiving discounts when considering bids and discuss that with your service provider.

In the "Second Report and Order and Further Notice of Proposed Rulemaking" (FCC 03-101), the FCC announced suspension and debarment regulations pertaining to the schools and libraries support mechanism. The Report and Order explains, among other things, the circumstances under which applicants, service providers and other program participants can be suspended and/or debarred from receiving support. This Report and Order is available on the SLD web site. As the FCC provides additional information regarding suspension and debarment, we will provide updated information on the SLD web site. As these determinations are made, a list of suspended and debarred individuals and/or organizations will be posted to the SLD web site.

Complete information about the filing window for the Funding Year 2004 Form 471, including the filing deadline, will be posted to the SLD web site when it becomes available.

It is important to remember that not all requested services will necessarily be approved for discounts. Your Form 471 will be subject to review by the SLD for a determination of funding eligibility before funds are committed. This review will consider all program rules, including eligibility of discount recipients and the eligibility of services for which discounts are requested. In addition, availability of funds will be a factor in funding decisions. Therefore, you should consider the possibility of a denial of funding or a level of funding below your request, and include appropriate contingencies in contracts for any or all of the requested services.

Thank you for your interest in the Schools and Libraries program. If you have any questions, please contact the SLD Client Service Bureau.

Schools and Libraries Division  
Universal Service Administrative Company

Application ID : 432878

Do not write in this area

5

Entity Number 133563

Applicant's Form Identifier 010404

Contact Person Mary M. Vaske

Phone Number 651 407-7518

## Block 6: Certifications and Signature

24 The entities listed in Block 4 of this application are eligible for support because they are: (Check one or both.)

- a ☒ schools under the statutory definitions of elementary and secondary schools found in the **No Child Left Behind Act of 2001, 20 U.S.C. Secs. 7801(18) and (38)**, that do not operate as for-profit businesses and do not have endowments exceeding \$50 million; and/or
- b libraries or library consortia eligible for assistance from a State library administrative agency under the Library Services and Technology Act of 1996 that do not operate as for-profit businesses and whose budgets are completely separate from any schools, including, but not limited to, elementary and secondary schools, colleges, or universities.

25 The entities listed on this application have secured access to all of the resources, including computers, training, software, maintenance, and electrical connections, necessary to make effective use of the services purchased, as well as to pay the discounted charges for eligible services from funds to which access has been secured in the current funding year. I certify that the Billed Entity will pay the non-discount portion of the cost of the goods and services to the service provider(s).

26 All of the schools and libraries or library consortia listed in Block 4 of this application are covered by:

- a an individual technology plan for using the services requested in this application; and/or
- b ☒ higher-level technology plan(s) for using the services requested in this application; or
- c no technology plan needed; applying for basic local and long distance telephone service only.

27 Status of technology plans (if representing multiple entities with mixed technology plan status, check both a and b):

- a technology plan(s) has/have been approved; and/or
- b ☒ technology plan(s) will be approved by a state or other authorized body; or
- c no technology plan needed; applying for basic local and long distance telephone service only.

28 I certify that the entities eligible for support that I am representing have complied with all applicable state and local laws regarding procurement of services for which support is being sought.

29 I certify that the services the applicant purchases at discounts provided by 47 U.S.C. Sec. 254 will be used solely for educational purposes and will not be sold, resold, or transferred in consideration for money or any other thing of value.

30 I certify that the entity(ies) I represent has complied with all program rules and I acknowledge that failure to do so may result in denial of discount funding and/or cancellation of funding commitments.

31 I understand that the discount level used for shared services is conditional, for future years, upon ensuring that the most disadvantaged schools and libraries that are treated as sharing in the service, receive an appropriate share of benefits from those services.

32 I recognize that I may be audited pursuant to this application. I will retain for five years any and all worksheets and other records that I rely upon to fill out this application, and, if audited, will make available to the Administrator such records.

33 I certify that I am authorized to submit this request on behalf of the above-named entities, that I have examined this request, and to the best of my knowledge, information, and belief, all statements of fact contained herein are true.



Application ID : 432878

Entity Number 133563

Applicant's Form Identifier 010404

Contact Person Mary M. Vaske

Phone Number 651 407-7518

34. Signature of authorized person

Mary M Vaske

35. Date

02062004

36. Printed name of authorized person

M a r y M V a s k e

37. Title or position of authorized person

A c c o u n t a n t

38a. Street Address, P.O. Box, or Route Number

4 8 5 5 B l o o m A v e n u e

City

W h i t e B e a r L a k e

State

Zip Code

M N

5 5 1 1 0

38b. Telephone number of authorized person

Extension

38c. Fax number of authorized person

6 5 1 4 0 7 7 5 1

6 5 1 4 0 7 5 2 1

38d. E-mail address of authorized person

m m v a s k @ w b l . w h i t e b e a r . k 1 2 . m n . u s

Persons willfully making false statements on this form can be punished by fine or forfeiture, under the Communications Act, 47 U.S.C. Secs. 502, 503(b), or fine or imprisonment under Title 18 of the United States Code, 18 U.S.C. Sec. 1001. The Americans with Disabilities Act, the Individuals with Disabilities Education Act and the Rehabilitation Act may impose obligations on entities to make the services purchased with these discounts accessible to and usable by people with disabilities.



**Entity Number** 133563**Applicant's Form Identifier** 010404**Contact Person** Marv M. Vaske**Phone Number** 651 407-7518

**NOTICE:** Section 54.504 of the Federal Communications Commission's rules requires all schools and libraries ordering services that are eligible for and seeking universal service discounts to file this Services Ordered and Certification Form (FCC Form 471) with the Universal Service Administrator. 47 C.F.R. § 54.504. The collection of information stems from the Commission's authority under Section 254 of the Communications Act of 1934, as amended. 47 U.S.C. § 254. The data in the report will be used to ensure that schools and libraries comply with the competitive bidding requirement contained in 47 C.F.R. § 54.504. All schools and libraries planning to order services eligible for universal service discounts must file this form themselves or as part of a consortium.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

The FCC is authorized under the Communications Act of 1934, as amended, to collect the information we request in this form. We will use the information you provide to determine whether approving this application is in the public interest. If we believe there may be a violation or a potential violation of a FCC statute, regulation, rule or order, your application may be referred to the Federal, state, or local agency responsible for investigating, prosecuting, enforcing, or implementing the statute, rule, regulation or order. In certain cases, the information in your application may be disclosed to the Department of Justice or a court or adjudicative body when (a) the FCC; or (b) any employee of the FCC; or (c) the United States Government is a party of a proceeding before the body or has an interest in the proceeding. In addition, consistent with the Communications Act of 1934, FCC regulations and orders, the Freedom of Information Act, 5 U.S.C. § 552, or other applicable law, information provided in or submitted with this form or in response to subsequent inquiries may be disclosed to the public.

If you owe a past due debt to the Federal government, the information you provide may also be disclosed to the Department of the Treasury Financial Management Service, other Federal agencies and/or your employer to offset your salary, IRS tax refund or other payments to collect that debt. The FCC may also provide the information to these agencies through the matching of computer records when authorized.

If you do not provide the information we request on the form, the FCC may delay processing of your application or may return your application without action.

The foregoing Notice is required by the Paperwork Reduction Act of 1995, Pub. L. No. 104-13, 44 U.S.C. § 3501, et seq.

Public reporting burden for this collection of information is estimated to average 4 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, completing, and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing the reporting burden to the Federal Communications Commission, Performance Evaluation and Records Management, Washington, DC 20554.

Please submit this form to:

**SLD-Form 471  
P.O. Box 7026  
Lawrence, Kansas 66044-7026**

For express delivery services or U.S. Postal Service, Return Receipt Requested, mail this form to:

**SLD-Form 471  
c/o Ms. Smith  
3833 Greenway Drive  
Lawrence, Kansas 66046  
(888) 203-8100**



**FINANCE DEPARTMENT**

April 2, 2004

6

Letter of Appeal  
Schools and Libraries Division

Dear Sir/Madam:

I would like to appeal the decision made on our application #432878, Entity #133563 (White Bear Lake Dist 624). I was out of the office until the beginning of January, 2004 battling cancer. Because of budget cuts, there are only two of us left in the Finance Department. I called when I returned to receive information on filing the form 470 for the funding year 2004. I was one day late in filing. I called your help line and was told by one of your representatives to include a letter explaining the situation, and it would be taken care of.

When I filed the form 471, it gave me the error that I was late. I called again, and was told this time that my explanation letter with the Form 470 was not appropriate. She said appeals should be filed when the Form 471 decision is made.

The school district did not receive any notification on the window opening for Form 470 filing. Had there been notification, someone in the district could have filed on time. I also did not receive any notification of the decision for Form 471. I looked this up on the web site. Providing written notification to us could have eliminated this problem. Also, information I was given over the phone was misleading.

Please consider this appeal. We have never been late in the past, nor have we asked for any special consideration.

Sincerely,

*Mary M Vaske*

Mary M. Vaske

Accountant

(651) 407-7518 Fax (651) 407-7521

Email: mmvaske@wbl.whitebear.k12.mn.us

# MEMORY TRANSMISSION REPORT

TIME : APR-02-2004 08:26AM  
TEL NUMBER : +651 407 7521  
NAME : DISTRICT FINANCE OFFICE

FILE NUMBER : 614  
DATE : APR-02 08:25AM  
TO : 919735996542  
DOCUMENT PAGES : 003  
START TIME : APR-02 08:25AM  
END TIME : APR-02 08:26AM  
SENT PAGES : 003  
STATUS : OK

FILE NUMBER : 614

\*\*\* SUCCESSFUL TX NOTICE \*\*\*



WHITE BEAR LAKE  
AREA PUBLIC SCHOOLS

Independent School District No. 624

FINANCE DEPARTMENT

## Fax Cover Sheet

DATE: 4/2/04  
TO: Appeals  
FIRM: Schools & Libraries  
FROM: Mary M. Vaske

TIME: 8:15  
PHONE: \_\_\_\_\_  
FAX: 973-599-6542  
PHONE: (651) 407-7518  
FAX: (651) 407-7521

RE: \_\_\_\_\_

Number of pages including cover sheet: 3

Message: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

If you do not receive all of the pages, please call the sender at the above number.

Thank you.





## Universal Service Administrative Company

Schools & Libraries Division

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**FUNDING YEAR 2004 FORM 471  
POSTMARKED OUTSIDE OF WINDOW**

June 14, 2004

Mary M. Vaske  
WHITE BEAR LAKE INDEP DIST 624  
4855 BLOOM AVENUE  
SAINT PAUL, MN 55110

**Re: Applicant's Form Identifier: 010404  
Form 471 Application Number: 432878**

Dear Mary M. Vaske:

We are sending this letter to thank you for your recent Form 471 application. Your Form 471 application was postmarked on 02/06/2004, which is AFTER the 2004-2005 filing window closed at 11:59 p.m. EST on Wednesday, February 4, 2004.

Program rules require us to hold your application pending final review of those applications that were filed within the filing window. We will post an announcement on the SLD web site at [www.sl.universalservice.org](http://www.sl.universalservice.org) once we determine if funding applications that were submitted within the application filing window will fully utilize all the funds available for this Funding Year.

For more information about the processing of 2004-2005 applications, about funding for applications filed after the close of the filing window or about plans for the 2005-2006 application process, please visit our web site or call the Client Service Bureau at 1-888-203-8100.

**TO APPEAL THIS DECISION:**

If you wish to appeal the decision indicated in this letter, your appeal must be received or postmarked within 60 days of the above date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. In your letter of appeal:

1. Include the name, address, telephone number, fax number, and e-mail address (if available) for the person who can most readily discuss this appeal with us.
2. State outright that your letter is an appeal. Identify which Out of Window Letter you are appealing. Indicate the relevant funding year and the date of the letter. Your letter of appeal must also include the Billed Entity name, the Form 471 Application Number, and the Billed Entity Number from the top of your letter.
3. When explaining your appeal, include the precise text from the letter that is at the heart of your appeal to allow the SLD to more readily understand your appeal and respond appropriately. Please keep your letter to the point, and provide documentation to support your appeal. Be sure to keep copies of your correspondence and documentation.

4. Provide an authorized signature on your letter of appeal.

If you are submitting your appeal on paper, please send your appeal to: Letter of Appeal, Schools and Libraries Division, Box 125 - Correspondence Unit, 80 South Jefferson Road, Whippany, NJ 07981. Additional options for filing an appeal can be found in the "Appeals Procedure" posted in the Reference Area of the SLD web site or by calling the Client Service Bureau. We encourage the use of either the e-mail or fax filing options.

While we encourage you to resolve your appeal with the SLD first, you have the option of filing an appeal directly with the Federal Communications Commission (FCC). You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received or postmarked within 60 days of the above date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554. Further information and options for filing an appeal directly with the FCC can be found in the "Appeals Procedure" posted in the Reference Area of the SLD web site or by calling the Client Service Bureau. We strongly recommend that you use the electronic filing options.

Schools and Libraries Division  
Universal Service Administrative Company

# MEMORY TRANSMISSION REPORT

TIME : JUN-18-2004 01:35PM  
TEL NUMBER : +651 407 7521  
NAME : DISTRICT FINANCE OFFICE

FILE NUMBER : 912  
DATE : JUN-18 01:26PM  
TO : 9-19735996542  
DOCUMENT PAGES : 003  
START TIME : JUN-18 01:26PM  
END TIME : JUN-18 01:35PM  
SENT PAGES : 003  
STATUS : OK

FILE NUMBER : 912

\*\*\* SUCCESSFUL TX NOTICE \*\*\*



WHITE BEAR LAKE  
AREA PUBLIC SCHOOLS

Independent School District No. 624

FINANCE DEPARTMENT

## Fax Cover Sheet

DATE: 6/18/04 TIME: 1:30  
TO: Appeals PHONE: \_\_\_\_\_  
FIRM: Schools & Libraries FAX: 973-599-6542  
FROM: Mary M. Vaske PHONE: (651) 407-7518  
mmvaske@wbl.whitebear.k12.mn.us FAX: (651) 407-7521

RE: \_\_\_\_\_

Number of pages including cover sheet: 23

Message:

I faxed this appeal on 6/18/04 & have a copy of  
my transmit notice. Please respond that you have received  
this one

If you do not receive all of the pages, please call the sender at the above number.

Thank you.

FINANCE DEPARTMENT

June 18, 2004

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Letter of Appeal  
Schools and Libraries Division

Dear Sir/Madam:

I would like to appeal the decision made on our application #432878, Entity #133563 (White Bear Lake Dist 624). I was out of the office until the beginning of January, 2004 battling cancer. Because of budget cuts, there are only two of us left in the Finance Department. I called when I returned to receive information on filing the form 470 for the funding year 2004. I was one day late in filing. I called your help line and was told by one of your representatives to include a letter explaining the situation, and it would be taken care of.

When I filed the form 471, it gave me the error that I was late. I called again, and was told this time that my explanation letter with the Form 470 was not appropriate. She said appeals should be filed when the Form 471 decision is made.

The school district did not receive any notification on the window opening for Form 470 filing. Had there been notification, someone in the district could have filed on time. I also did not receive any notification of the decision for Form 471. I looked this up on the web site. Providing written notification to us could have eliminated this problem. Also, information I was given over the phone was misleading.

Please consider this appeal. We have never been late in the past, nor have we asked for any special consideration.

Sincerely,

*Mary M Vaske*

Mary M. Vaske

Accountant

(651) 407-7518 Fax (651) 407-7521

Email: mmvaske@wbl.whitebear.k12.mn.us

# MEMORY TRANSMISSION REPORT

TIME : JUL-06-2004 09:43AM  
TEL NUMBER : +651 407 7521  
NAME : DISTRICT FINANCE OFFICE

FILE NUMBER : 952  
DATE : JUL-06 09:42AM  
TO : 918882768736  
DOCUMENT PAGES : 004  
START TIME : JUL-06 09:42AM  
END TIME : JUL-06 09:43AM  
SENT PAGES : 004  
STATUS : OK

9

FILE NUMBER : 952

\*\*\* SUCCESSFUL TX NOTICE \*\*\*



Independent School District No. 624

## Fax Cover Sheet

DATE: 7/6/04  
TO: Debbie Wilburn  
FIRM: Schools & Libraries  
FROM: Mary M. Vaske

TIME: 9:45  
PHONE: \_\_\_\_\_  
FAX: 1-888-276-8736  
PHONE: (651) 407-7518  
FAX: (651) 407-7521

RE: \_\_\_\_\_

Number of pages including cover sheet: 4

Message:

Case # 21-069719  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

If you do not receive all of the pages, please call the sender at the above number.

Thank you.



**Universal Service Administrative Company**  
Schools & Libraries Division

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July 8, 2004

Mary M. Vaske  
White Bear Lake Area Public Schools  
4855 Bloom Avenue  
White Bear Lake, MN 55110-2731

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The Schools and Libraries Division of the Universal Service Administrative Company has received your correspondence dated June 18, 2004 on June 18, 2004 regarding the 2004-2005 funding decision on your 471 application 432878. These are the steps that will now follow:

1. We will review your correspondence carefully to identify the specific issue(s) it raises.
2. We will consult the program integrity assurance records and all supporting documentation for the application. Our goal is to determine whether the program rules were administered appropriately in processing your application.
3. Once the review process is completed we will respond in writing and state whether your appeal is approved, denied or approved in part. We will then follow with a funding commitment decision letter for any approved appeal resulting in additional discounts for your application. Funds have been set aside to implement funding decisions for appeals approved by the SLD and/or the Federal Communications Commission.

We have begun an in-depth review of the appeals we have received, and our goal is to respond to you as promptly as possible. We thank you in advance for your patience as we handle your case with the care and attention it deserves.

Schools and Libraries Division  
Universal Service Administrative Company



**Universal Service Administrative Company**  
Schools & Libraries Division

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**Administrator's Decision on Appeal - Funding Year 2004-2005**

September 27, 2004

Mary M. Vaske  
White Bear Lake Area Public Schools  
4855 Bloom Avenue  
White Bear Lake, MN 55110-2731



Re:      Billed Entity Number:            133563  
            471 Application Number:        432878  
            Funding Request Number(s):    1207311, 1207312  
            Your Correspondence Dated:    June 18, 2004

After thorough review and investigation of all relevant facts, the Schools and Libraries Division ("SLD") of the Universal Service Administrative Company ("USAC") has made its decision regarding your appeal of the SLD's Funding Year 2004 Form 471 Postmarked Outside of Window letter for the application number indicated above. This letter explains the basis of SLD's decision. The date of this letter begins the 60-day period for appealing this decision to the Federal Communications Commission ("FCC"). If your letter of appeal included more than one application number, please note that for each application an appeal is submitted, a separate letter is sent.

Funding Request Number(s):    1207311, 1207312

Decision on Appeal:                **Denied in full**

Explanation:

- On appeal, you request that the Form 471 application be processed within the filing window. In support of your request, you assert that White Bear Lake District 624 (the District) did not receive any notification on the funding year window opening for the Form 470 filing. You state that if the District received the notification, someone in the District could have filed the Form 470 and Form 471 on time.
- Upon thorough review of the appeal letter and the relevant facts, we find that you failed to submit your Form 471 and certification for these funding requests prior to the close of the Funding Year 2004 window on February 4, 2004. The submission of the Form 471 and certification was postmarked on February 6, 2004, which is outside the filing window for Funding Year 2004. It is the responsibility of the applicant to ensure that all Forms are submitted to SLD in a timely and correct manner.

- The FCC requires all parts of an application to be postmarked by the final date of the filing window for the relevant funding year for the application to be treated as having been filed within the filing window. *See Request for Review by Alpine County Unified School District, et. al., Federal-State Joint Board on Universal Service, Changes to the Board of Directors of the National Exchange Carrier Association, Inc.*, CC Docket Nos. 96-45 and 97-21, Order, DA 02-75 ¶ 5 (rel. Jan. 14, 2002). This includes the Form 470 Certification, the Form 471 application, and the Form 471 Certification.
- SLD denied your funding request(s) because it determined that your Form 471 Certification was not postmarked on or before the close of the filing window on February 4, 2004. Since you cannot show that the Form 471 Certification was postmarked on or before February 4, 2004, your appeal is denied.

If you believe there is a basis for further examination of your application, you may file an appeal with the Federal Communications Commission ("FCC"). You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received or postmarked within 60 days of the date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12<sup>th</sup> Street SW, Washington, DC 20554. Further information and options for filing an appeal directly with the FCC can be found in the "Appeals Procedure" posted in the Reference Area of the SLD web site or by contacting the Client Service Bureau. We strongly recommend that you use the electronic filing options.

We thank you for your continued support, patience, and cooperation during the appeal process.

Schools and Libraries Division  
Universal Service Administrative Company